

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**VINCENT PAYNE
VICTORIA PAYNE**

v.

CITY OF PHILADELPHIA, ET AL.

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CIVIL ACTION NO. 14-6508

ORDER

This 25th day of June, 2015, it is ORDERED that Defendants' Second Motion to Dismiss for Failure to State a Claim is **DENIED**.

/s/ Gerald Austin McHugh
United States District Court Judge